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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	NATAN, ET AL.	}	
SERIAL NO.:	09/677,203	}	EXAMINER: PHASGE, A. S.
FILED:	OCTOBER 2, 2000	}	ART UNIT: 1741
TITLE:	METHOD OF MANUFACTURE OF COLLOIDAL ROD PARTICLES AS NANOBAR CODES	}	CONF. NO: 5080

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 C.F.R. § 1.132 THAT INVENTOR(S) NAMED
IN THIS APPLICATION CONCEIVED OR INVENTED THE SUBJECT
MATTER OF THIS APPLICATION WHICH IS DISCLOSED IN THE
CITED PUBLICATION**

Sir:

We, Michael J. Natan and Thomas Mallouk do hereby declare as follows:

1. We are co-inventors of the above-captioned patent application.
2. We are aware that an article ("Orthogonal Self-Assembly on Colloidal Gold-Platinum Nanorods", Benjamin R. Martin, Daniel J. Dermody, Brian D. Reiss, Mingming Fang, L. Andrew Lyon, Michael J. Natan, Thomas E. Mallouk, *Advanced Materials* (1999) 11(12):1021-25) has been cited as a reference against claims 1, 3-7, 9, and 37-54 of the present application.
3. We, inventors of this application and signing below, hereby declare that the cited disclosure in the above identified publication was conceived or invented by us and that the inventorship of this application is correct in that the reference discloses subject matter derived from us rather than invented by the authors notwithstanding the authorship of the article.
4. We each hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

10/28/04

Date



Michael J. Natan

10/24/04

Date



Thomas Mallouk

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